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PRO SE OFFICE

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

"In Re: World Trade Center Disaster Litigation,"

21-MC- 100(AKH)

(In the space above enter the full name(s) of the plaintiff(s)/petitioner(s).)

Civ. MC ( ) ( )

-against-

**REQUEST TO PROCEED  
IN FORMA PAUPERIS  
ON APPEAL**

(In the space above enter the full name(s) of the defendant(s)/respondent(s).)

I, Hector Flamenco, (print or type your name) am the plaintiff/petitioner in the above entitled case and I hereby request to proceed *in forma pauperis* on appeal and without being required to prepay fees or costs or give security. I state that because of my poverty I am unable to pay the costs of said proceeding or to give security therefor, and that I believe I am entitled to redress.

The issues I desire to present on appeal are the following: The district court abused it's discretion, because— (i) it did not ORDER Petitioner to file an affidavit supporting motion to proceed *in forma pauperis*, or pay the filing fee; (ii) it did not assign Petitioner a case number, and did not issue a formal opinion why it was denying motion to proceed *in forma pauperis*; and (iii) it did not ORDER a hearing and or ORDER Petitioner to show cause for the district court to ORDER the court clerk or process server or the Special Masters and or others to serve Plaintiff's complaint upon all Defendants.

1. If you are presently employed:
  - a) give the name and address of your employer
  - b) state the amount of your earnings per month

FCI, Box 2000, Fort Dix, NJ 08640

\$ 16.50

2. If you are NOT PRESENTLY EMPLOYED:
  - a) state the date of start and termination of your last employment
  - b) state your earnings per month

**YOU MUST ANSWER THIS QUESTION EVEN IF YOU ARE INCARCERATED**

I work for the Federal Bureau of Prisons.

I earn \$16.50

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3. Have you received, within the past twelve months, any money from any source? If so, name the source and the amount of money you received.

Family, sister and mother. About \$50 a month.

- a) Are you receiving any public benefits? ☒ No. ☐ Yes, \$ \_\_\_\_\_.
- b) Do you receive any income from any other source? ☒ No. ☐ Yes, \$ \_\_\_\_\_.

4. Do you have any money, including any money in a checking or savings account? If so, how much?

☐ No. ☒ Yes, \$ 15.00.

5. Do you own any apartment, house, or building, stock, bonds, notes, automobiles or other property? If the answer is yes, describe the property and state its approximate value.

☒ No. ☐ Yes, \$ \_\_\_\_\_.

6. Do you pay for rent or for a mortgage? If so, how much each month?

☒ No. ☐ Yes, \_\_\_\_\_.

7. List the person(s) that you pay money to support and the amount you pay each month.

I do not pay anybody, because I am broke.

8. State any special financial circumstances which the Court should consider.

I am a poor person and unable to pay said filing fees.  
Also, I am incarcerated with only \$16.50 a month for working  
at the prison.

I understand that a false statement or answer to any question in this declaration shall subject me to the penalties for perjury.

**I declare under penalty of perjury that the foregoing is true and correct.**

Signed this 24 day of June, 2011.  
date month year

Hector Flamenco  
Signature

Hector Flamenco #71956-053  
FCI, Box 2000  
Fort Dix, NJ 08640

**Let the applicant proceed on appeal without prepayment of cost or fees or the necessity of giving security therefor.**

\_\_\_\_\_  
United States District Judge

DATED: \_\_\_\_\_, 20\_\_  
\_\_\_\_\_, New York